

# *CITY OF MARLBOROUGH*



## **DEPARTMENT OF PUBLIC WORKS**

### **RULES AND REGULATIONS FOR LICENSURE AND STREET OPENINGS**

**2004**

## **Section 1. Preface**

Those who open, occupy and/or obstruct the public way in the City of Marlborough are responsible for ensuring that these public ways are, at all times, safe to use by the residents, local businesses and travelers who depend upon this use in the course of their daily lives. Improper backfilling, poor patching, careless plating, unsightly debris remaining from incomplete projects and excavations into newly resurfaced or reconstructed streets all project to the public an image of indifference and wasteful spending. As the municipal agency responsible for the maintenance and safety of the public ways in the City of Marlborough, it is the obligation of the Department of Public Works to protect the interests of the public we serve. We therefore set forth the following rules and regulations as mandatory requirements for the issuance of a departmental permit to open, occupy and/or obstruct a public way and of licenses to work on city drain, sewer and water lines.

## **Section 2. Frequently asked questions**

### **1. What is the difference between a permit and a license?**

A license pre-qualifies a contractor to perform certain types of work. A permit authorizes a contractor/entity to open, occupy, and/or obstruct a public way in a specific location, for a specific period of time.

### **2. Who needs a license?**

A license is required for any contractor who intends to perform work on City water or sewer lines (in any location) or who intends to work on a connection to the City's drainage system.

### **3. Who needs a permit?**

Any entity who intends to open, occupy, and/or obstruct any portion of the public way other than for purposes of travel.

### **4. Why is a license required?**

Licensure ensures that only those who are qualified will be performing the work on the City's utility infrastructure. This process protects the City's investment in its utilities.

### **5. Why is a permit required?**

A permit not only spells out specific requirements for performing work within the public way, it allows the City to track where work is being performed. Ultimately, the process protects the City's investment in its infrastructure.

### **6. Under what authority can the City require licensure and permits?**

Authority is derived from sections 161, 172, and 194 of the Code of the City of Marlborough.

### **7. How long is my license good for?**

Licenses expire on December 31st every year; as such, licenses must be renewed annually.

### **8. Can my license be suspended or revoked?**

Failure to conform to the City Code, permit requirements, and/or the current Rules and Regulations for Licensure and Street Openings can be cause for license suspension or revocation. Repeated violations can result in a permanent revocation of a license.

### **9. Can I get a permit during the winter months?**

Except in an emergency, work under a permit can only occur between April 1<sup>st</sup> and November 30<sup>th</sup> of any given year.

## **10. What constitutes an emergency?**

An emergency is defined as a situation posing an immediate threat to public safety.

### **Section 3. License Requirements**

#### **Section 3.1 Types of license**

The Department of Public Works issues licenses for work on water, sewer, and drain lines.

#### **Section 3.2 Bond requirements**

All applicants for licenses shall file with the Office of the City Engineer a proper and acceptable Street Opening Bond as well as a Utility Layers Bond in the amount of Five Thousand dollars (\$5,000.00) each. The above bonds are subject to upward adjustment by the City Engineer depending on the size of the individual project or combination of projects covered by the bond. All bonds shall be issued for and be in full force and effect for a period of **three (3)** years from the date of the Road Opening Permit issuance. All street openings must be covered for three (3) years. If for any reason the bonds are to be cancelled within the period of their validity, the City Engineer shall file a claim against the bond on the full amount prior to its expiration. In addition, any license conditioned upon this bond will be immediately revoked.

#### **Section 3.3 Insurance Requirements**

##### **Section 3.3.1 Required Liability Limits**

###### **GENERAL LIABILITY**

Bodily Injury	\$500,000.00 each occurrence \$1,000,000.00 aggregate
Property Damage	\$500,000.00 each occurrence \$1,000,000.00 aggregate

The following types of insurance shall be provided for under General Liability:

1. Comprehensive form
2. Premises / operations
3. Products / completed operations
4. Contractual
5. Independent contractors

**NOTE:** If Contractors work involves blasting, the Contractor shall provide Underground Explosion and Collapse Hazard Insurance.

###### **AUTOMOBILE LIABILITY**

Bodily Injury	\$500,000.00 each person \$1,000,000.00 each accident
Property Damage	\$500,000.00 each occurrence

The following types of insurance shall be provided for under Automobile Liability:  
Any auto, comprehensive form

## **WORKERS' COMPENSATION**

Workers' Compensation Insurance shall be as required by the laws of the Commonwealth of Massachusetts.

## **EMPLOYER'S LIABILITY**

Employer's Liability Insurance shall be provided with a policy limit of \$500,000.00.

**ALL** policies shall provide a hold harmless clause which holds the City of Marlborough harmless from any liability associated with the acts of the insured or their employees.

### **Section 3.3.2 Notice of cancellation**

The following statement shall appear on the Certificate of Insurance: "It is agreed that in the event of any material change in, cancellation of, or non-renewal of this policy, a thirty (30) day prior written notice will be given to:"

City of Marlborough  
Department of Public Works  
ATT: City Engineer  
Municipal Garage - 2nd Floor  
135 Neil Street  
Marlborough, MA 01752

### **Section 3.3.3 Certificate holder**

The following must be named as an additional insured on the Certificate of Insurance:

The City of Marlborough  
Marlborough, MA 01752

The Certificate of Insurance can be mailed to the attention of the Dept. of Public Works at the address below.

ATT: City of Marlborough  
Department of Public Works  
City Engineer  
Municipal Garage - 2nd Floor  
135 Neil Street  
Marlborough, MA 01752

### **Section 3.3.4 Indemnification**

All policies shall provide a hold harmless clause which holds the City of Marlborough harmless from any liability associated with the acts of the insured or their employees.

### **Section 3.4 Tax Certification**

Please be advised that on July 1, 1983 the Commonwealth of Massachusetts Department of Revenue required that all cities and towns issuing or renewing licenses for a trade, business, profession or for providing goods and services, first obtain the social security number of any firm seeking license renewal and require the applicant to sign a form stating that the applicant does not owe the Commonwealth back taxes.

No contractor, supplier of goods or business not in good standing with the Commonwealth will be allowed to work in or for a municipality until they correct their tax situation.

**I CERTIFY UNDER THE PENALTIES OF PERJURY THAT I, TO MY BEST KNOWLEDGE AND BELIEF, HAVE FILED ALL STATE TAX RETURNS AND PAID ALL STATE TAXES REQUIRED UNDER LAW.**

_____	<b>BY:</b> _____
SIGNATURE OF INDIVIDUAL OR	CORPORATE OFFICER
CORPORATE NAME (MANDATORY)	(MANDATORY, IF APPLICABLE)

_____	<b>DATE:</b> _____
SOCIAL SECURITY # OR FEDERAL	
IDENTIFICATION #	

A license will not be issued unless this certification is signed by the applicant.

Your social security number will be furnished to the Mass. Dept. of Revenue to determine whether you have met all tax filing and or tax payment obligations. Licensees who fail to correct their non-filing or tax payment delinquency will be subject to license suspension or revocation. This request is made under the authority of Mass. G.L. C. 62C S. 49A.

### **Section 3.5 License procedure (New Issue)**

1. Obtain the most recent set of "Department of Public Works Rules and Regulations for Licensure and Street Openings" governing licensing/permits.
2. Submit a cover letter requesting licensure and specifying which type of license(s) is (are) being requested.
3. Provide current Certificates of Insurance as required in Section 3.3.1.
4. Provide a current **3 year** Street Opening Bond and **3 year** Utility Layers Bond in the amount of \$5,000.00 each.
5. Submit a non-refundable license fee of \$50.00/licence in the form of a bank check or money order with insurance and bond requirements. Checks/money orders must be made payable to the City of Marlborough. Cash cannot be accepted.
6. Submit a completed tax form as required by the Commonwealth of Massachusetts (form is enclosed).
7. Submit three letters of recommendation from other cities and towns where similar work has been performed.

### **Section 3.6 License Renewal**

1. Obtain the most recent set of "Department of Public Works Rules and Regulations for Licensure and Street Openings" governing licensing/permits.
2. Submit a cover letter requesting licensure and specifying which type of license(s) is (are) being requested.
3. Provide current Certificates of Insurance as required in Section 3.3.1. .
4. Provide a current **3 year** Street Opening Bond and **3 year** Utility Layers Bond in the amount of \$5,000.00 each.
5. Submit a non-refundable license fee of \$50.00/licence in the form of a bank check or money order with insurance and bond requirements. Checks/money orders must be made payable to the City of Marlborough. Cash is not accepted.
6. Submit a completed tax form as required by the Commonwealth of Massachusetts (form is enclosed).

### **Section 4.0 Street Opening Permits**

#### **Section 4.1 Rules and Regulations for Street Opening Permits**

##### **Section 4.1.1 Time frame**

Street Opening Permits will be issued authorizing work from April 1st through November 30th of any calendar year. No work may be performed from December 1st through March 31st, except in cases of emergency approved by the Commissioner of Public Works or a majority vote of the City Council. Please allow 72 hours (3 days) lead time from the date of application of a Road Opening Permit to the issuance of such permit.

##### **Section 4.1.2 Trench responsibility**

Contractors are responsible for maintaining any trench area resulting from their work for **THREE YEARS** from the date of the original Road Opening Permit.

##### **Section 4.1.3 Bonds**

Bonds are to remain in effect for three (3) years from the date of the last road opening permit. The amount shall be determined by the City Engineer.

#### **Section 4.1.4 Licensure requirement**

Only Licensed Contractors are permitted to perform work within City rights-of-way or perform work on City utilities (water, sewer, drain).

#### **Section 4.1.5 Dig Safe**

A "Dig Safe" number must be obtained by the licensed contractor and given to the office of the City Engineer. No permit will be issued before four (4) working days after the dig safe number has been given to the office of the City Engineer.

#### **Section 4.1.6 Permits to be kept on site**

Permits are to be picked up before work is started and a copy of same shall remain on site for the duration of the work.

#### **Section 4.1.7 Permit duration**

**Permits are valid for 30 days after date of issue.** Work must be completed within thirty (30) days from the date of issuance unless the City Engineer or his/her designee authorizes an extension. If work has not been completed within the thirty (30) day time period the contractor must apply for a new permit.

#### **Section 4.1.8 Notification**

No work is to take place unless the City Engineer or his/her designee has been notified twenty four (24) hours in advance and has authorized the work to proceed.

#### **Section 4.1.9 Work zone**

No work shall take place until such time as all safety precautions (signs, barricades, police details, etc.) are in place in accordance with the requirements of the road opening permit. All traffic control devices shall be in conformance with the latest edition of the Manual on Uniform Traffic Control Devices.

#### **Section 4.1.10 Street closure**

When excavating, no street will be closed except in cases where it is determined by the City to be necessary, and in this case, only upon written permission from the City Engineer or his/her designee. A detour plan must be submitted and approved by the City Engineer prior to any road closure. IT IS THE RESPONSIBILITY OF THE LICENSED CONTRACTOR TO NOTIFY FIRE AND POLICE DEPARTMENTS, SCHOOL BUS CO., AMBULANCE SERVICE, AND D.P.W. per attached road closing notice. (See Appendix A)

#### **Section 4.1.11 Emergencies**

In the event of an EMERGENCY ROAD OPENING, the D.P.W. will be notified by phone at 508-624-6910 with the following information:

- a. EXACT JOB LOCATION
- b. WORK TO BE DONE BY LICENSED AND INSURED CONTRACTOR
- c. NATURE OF EMERGENCY

A permit application must be filed with the office of City Engineer on the next business day. The applicant will be required to have a written explanation of the nature of the emergency at this time.

#### **Section 4.1.12 Exploratory openings**

When small holes such as bar holes, borings, and cores are made they will be filled with hydraulic cement and capped. Concrete sidewalks will be filled and capped with portland cement concrete. Roadways will be capped with class I, bituminous concrete.

#### **Section 4.1.13 Restoration expenses**

The restoration costs associated with the permitted work shall be borne in their entirety by the licensed contractor.

#### **Section 4.1.14 Protected roadway**

The Department of Public Works has established a list of streets reconstructed or resurfaced within the last five (5) years (see Appendix B). No opening of roads on said list will be permitted on roads having been reconstructed or resurfaced within one (1) year of the date of completion. After one (1) year, the permittee will be responsible for curb to curb **cold planing and resurfacing** for a limit as determined by the City Engineer or his/her designee and to include any ancillary work resulting from permitted work on these protected streets. The limits will be as determined in the permit conditions.

#### **Section 4.1.15 Backfilling trench**

**NO TRENCH WILL BE BACKFILLED UNTIL IT HAS BEEN INSPECTED BY AN AUTHORIZED DEPARTMENT OF PUBLIC WORKS INSPECTOR.**

#### **Section 4.1.16 Scenic roads**

The City of Marlborough has adopted a Scenic Roads Ordinance. To perform off-pavement work on these roads you must comply with the provisions of the ordinance.

#### **Section 4.1.17 Conformance with codes**

All work shall be performed in accordance with 521 CMR (Architectural Access Board Regulations (SEE DETAIL PAGES), the Massachusetts Highway Department Standard Specifications for Highways and Bridges, 1988 (as amended), the Manual on Uniform Traffic Control Devices, 1988 (as amended) and the Code of the City of Marlborough.

#### **Section 4.1.18 Police details**

Uniformed police officers are the sole responsibility of permittee. The applicant shall coordinate the requirement for use of said officers with the Police Department.

#### **Section 4.1.19 Outstanding work**

No new road opening permits will be issued until any outstanding trenches with temporary pavement have been permanently repaired in accordance with applicable requirements.

#### **Section 4.1. 20 Road Occupancy**

When occupancy of a roadway is required to perform work on other than the city infrastructure; a permit is needed, proper insurance is required and the City Engineer may determine that a bond is necessary.

#### **Section 4.2 Utilities**



#### **Section 4.2.1 Conformance with codes**

All work shall be in full conformance with all applicable laws, codes, and regulations including but not limited to the Code of the City of Marlborough.

#### **Section 4.2.2 Bedding**

##### **MATERIAL PIPE BEDDING REQUIREMENT:**

**A: Water pipe: sand, one foot on all sides**

**B: Sewer pipe: 3/4" stone, one foot on all sides**

**C: Drain pipe: suitable material with no stone larger than 6", one foot on all sides**

#### **Section 4.2.3 Utility Ties**

All water and sewer ties shall be turned into the Water and Sewer Division on the day the job is completed. A form is provided in Appendix C.

#### **Section 4.2.4. Acceptable Water Materials**

**WATER PIPE** Cement Lined Ductile Iron Pipe, Class 52

**HYDRANTS** Mueller Centurion 5½ feet bury, 4½ inch valve opening with 6 inch bell inlet and must open right

**T.S. & G.** Mechanical joint, valves must open right

**GATE VALVES** No rising stem, double disc, must open right

**MAIN GATE BOXES** C.I. slide type, no flange, or belled bottom and the word "water" stamped on cover

**SERVICE BOXES** 4½ feet to 5½ feet extension type, 3/4 inch rod-cover with counter sunk 1 inch brass plug, open right

**SADDLES** Double strap, no-weld type

**METERS** 5/8 inch x 1/2 inch with remote and tail pieces

**CURB STOPS** Will be open right with stop and drain

**SERVICES** Will be Type "K" copper, minimum 3/4 inch diameter. All main taps will be "wet tapes".

#### **Section 4.2.5. Acceptable sewer materials**

**SEWER PIPE** P.V.C. ASTM D3034 SDR 35, Cement Ductile Iron Pipe Class 52  
All forced sewer mains shall be Cement Ductile Iron Pipe Class 52  
Sewer main 10' in depth shall be Cement Ductile Iron Pipe Class 52  
Sewer mains 20' in depth see City Sewer Regulation

**DROP MANHOLES** All sewer drop inlets shall be internal to the sewer manhole which shall have an inside diameter of five (5) feet.

**SERVICE PIPE** Minimum size 6 inch P.V.C.

**RINGS & COVERS** 26 inch diameter covers stamped "SEWER"; Mass. Standard.  
Locking covers shall be provided for all off-pavement manholes.

**WARNING RIBBON** A METALLIC WARNING RIBBON shall be placed immediately above and along the entire length of all NON-METALLIC SEWER PIPE.

#### **Section 4.2.5 Acceptable drain materials**

**DRAIN PIPE** Reinforced concrete pipe (Class IV or higher).

**FRAME & GRATE** LeBARON LF248 -2 (wt. 480 lbs) Mass. standard.

**FRAME & COVER** 26 inch diameter covers stamped "DRAIN"; Mass. standard.

**BRICK** Red clay brick shall be used to raise all structures.

#### **Section 4.3 General paving requirements**

##### **Section 4.3.1 Controlled density fill (CDF)**

Controlled density fill shall be used for backfilling as determined by the Engineer. CDF shall be Type 1E Very Flowable (excavatable) or Type 2E Flowable (excavatable) with a maximum strength of 200 PSI and 25-30% air. CDF (Type 1E and 2E) shall be excavatable using simple hand tools where required. Where required, CDF shall be placed to within a minimum of 5 inches from the top of the existing pavement or as directed by the engineer.

##### **Section 4.3.2 Bedding**

Prior to placement of any backfill or CDF, the proper bedding shall be placed around the pipes.

##### **Section 4.3.3 Plating**

Prior to placement of the trench paving, the Contractor shall provide steel plating, safety barricades and equipment to protect the vertical face remaining after placement of CDF.

##### **Section 4.3.4 Tack coat**

Prior to placement of any bituminous concrete, the vertical edges of existing pavement shall have a thin coat of bitumen (Mass. spec. type RS -1).

##### **Section 4.3.5 Trench Restoration**

Immediately upon application of the bitumen, the Contractor shall place the pavement as described in section 460 of the Massachusetts Standard Specification. Care shall be taken by the Contractor to insure that a smooth and even transition occurs between new and old pavement and a sealant shall be placed over the joints as shown on the attached typical section.

##### **Section 4.3.6 Permanent Paving**

All trenches must be permanently paved after a sixty (60) day waiting period (see general paving requirements). All pavement markings destroyed shall be replaced.

##### **Section 4.3.7 Sawcutting**

Prior to placement of permanent pavement, the Contractor shall sawcut, by means of a hydraulic saw, back one (1) foot from the original trench limits. The trench shall be made squared or rectangular and the sawcut sidelines of the trench shall be straight and true for a minimum distance of fifty (50) feet on trenches longer than fifty (50) feet, and for the entire length of the trench on trenches less than fifty (50) feet, leaving a sound vertical face for the entire

depth of existing pavement. All material shall be removed to a depth of five (5) inches.

#### **Section 4.3.8 Paving**

Immediately upon application of the bitumen, the Contractor shall place the final five (5) inches of bituminous concrete in two (2) courses as described in section 460 of the Massachusetts Standard Specification. Care shall be taken by the Contractor to insure that a smooth and even transition occurs between new and old pavement and a sealant shall be placed over the joints as shown on typical section for permanent trench paving enclosed.

#### **Section 4.3.9 Concrete Sidewalk**

All concrete sidewalk openings shall be repaired in **FULL** panels and be a minimum of four (4) inches thick (minimum of six (6) inches thick at driveway openings) the concrete shall be 4,000 P.S.I., between 5% and 8% by volume air voids, 3/4" max. agg. size with a broom finish.

#### **Section 4.3.10 Bituminous Sidewalk**

All bituminous sidewalk openings shall be repaired in **FULL** width and be a minimum of three (3) inches thick.

## **APPENDIX - A**

### **ROAD CLOSING NOTICE**

D.P.W. PRINCIPAL CLERK	508-624-6910 ext. 7100
JUNIOR CIVIL ENGINEER IN CHARGE OF PERMITS	508-624-6910 ext. 7204 or 7207
POLICE DEPARTMENT	508-485-1212
FIRE DEPARTMENT	508-485-2323
PATRIOT AMBULANCE SERVICE	800-491-1112
SCHOOL BUS CONTRACTOR MARLBOROUGH SCHOOLS ASSABET VALLEY VOC. SCHOOL	508-481-5346 (trailer at #402 Hudson St.)
RYDER STUDENT TRANSPORTATION 47 NEW YORK AVE. FRAMINGHAM, MA. 01701	508-879-2500
SCHOOL DEPARTMENT John Petrin	508-460-3554
RECREATION DEPARTMENT (SUMMER ONLY)	508-624-6925
RUBBISH CONTRACTOR BFI WASTE SYSTEMS 35 DUNSTABLE ROAD TYNGSBORO, MA. 01879	508-649-7564 1-800-442-9006

## **APPENDIX - B**

### PROTECTED STREET LIST DECEMBER 2003

#### (STREETS RECONSTRUCTED OR RESURFACED WITHIN THE LAST FIVE (5) YEARS)

Road opening permits issued for the following roads require curb to curb resurfacing as stated in Section 4.1.14 of the Department of Public Works "Rules and Regulations for Licensure and Street Openings"

#### 1999

Concord Road (House #608 to Goodale St.)  
Florence Street (Granger Blvd. to end)  
Elm Street (Mechanic St. to Winter St.)  
Granger Blvd (West Main St. to Main St.)  
Farm Road (Country Lane to Clarke Drive)  
Greenwood Street (House #10 to House #17)  
Harrison Place  
Union Street (Stevens St. to Bolton St.)

#### 2000

Elm Street (Smith Dr. to Winter St.).  
Hayden Street  
Hosmer Street (Summit Avenue to Hudson line)  
Orchard Street  
Walker Street (River St. to Holm St.)

#### 2001

Beach Street  
Cedar Hill Street (430 feet west from intersection with Crane Meadow Rd)  
Concord Road (Route 20 to Beaman Lane)  
Crane Meadow/Simarano Road (fm intersection w/Cedar Hill St north 3,750 ft)  
D'angelo Drive (125 ft. south from intersection w/Crane Meadow Rd)  
Hosmer Street (Summit St. to East Main St.)  
Northboro Road (230 ft. east from intersection w/Crane Meadow Rd)

#### 2002

Bolton Street (Union St. to Hudson St.)  
Church Street (Hildreth St. to East Main St.)  
Cook Lane  
Emmet Street  
Farm Road – until June 2003  
Gibbons Street  
Hildreth Street  
Versailles Street  
Water Street  
Water Terrace

**No road opening permits shall be issued for the following roads:**

**2003**

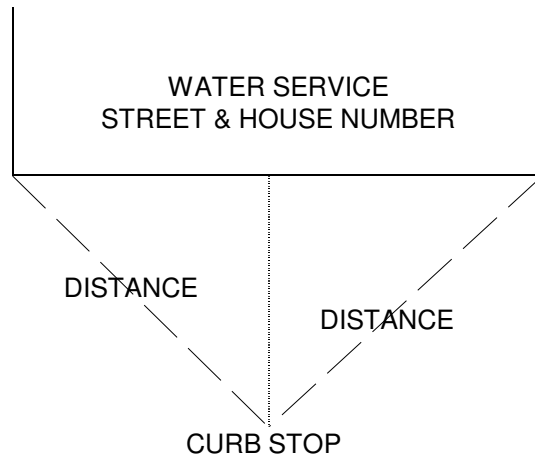
Donald Lynch Blvd. (Motel 8 entrance to Assabet River ) & ( North Bigelow Street to I- 495 overpass)  
Marlton Drive  
Kane Drive

**2004**

Brooks Street  
Charles Street  
Felton Street (Elm Street to Memory Lane)  
Garfield Street  
Mechanic Street (Elm Street to Main Street)  
Stevens Street (130 feet East of Perolman Drive to Hosmer Street)

**APPENDIX - C**

**TYPICAL WATER & SEWER LOCATION TIES**

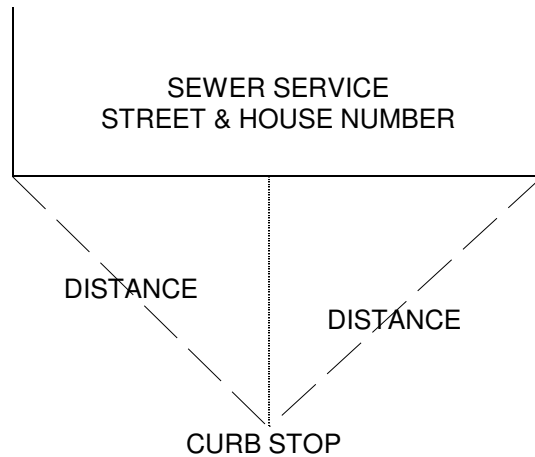


**TYPE AND SIZE OF PIPE:**.....

**DISTANCE HOUSE TO PROPERTY LINE:**.....

**DISTANCE PROPERTY TO MAIN:**.....

**FITTINGS USED:**.....



**TYPE AND SIZE OF PIPE:**.....

**DISTANCE HOUSE TO PROPERTY LINE:**.....

**DISTANCE PROPERTY TO MAIN:**.....

**FITTINGS USED:**.....

## APPENDIX - D



**CITY OF MARLBOROUGH**  
*Department of Public Works*  
**Engineering Division**  
**135 Neil Street**  
**Marlborough, Massachusetts 01752**  
(508) 624-6910 Ext. 7200  
Facsimile (508) 624-7699 TDD (508) 460-3610

### CONTROLLED DENSITY FILL (Flowable Fill)

Controlled Density Fill (CDF) material is a Flowable, self consolidating, rigid setting, low density material that can be a substitute for compacted gravel for backfill, fills and structural fills. There are two main categories of CDF's, excavatable and non-excavatable with a subcategory of flowable and very flowable. It shall be a mixture of portland cement, fly ash (if very Flowable), sand and water designed to provide strength within the range specified. CDF is to be batched at a ready mix plant and is to be used at a high or very high slump (10" – 12") In lieu of the slump test, a 6" long, 3" diameter tube may be filled to the top and then slowly raised. The diameter of the resulting "pancake" may be measured and the range of the diameter shall be 9" to 14". It shall be flowable, require no vibration and after it is placed can, for Types 1E and 2E be excavated by hand tools and/or small machines.

The ingredients shall comply with the following:

Portland cement	-	AASHTO M85
Fly Ash	-	AASHTO M295 Class F
Sand	-	M4.02.02
Water	-	M4.02.04
Air	-	see W.R. Grace or equal

The categories of CDF are:

**TYPE I - Very Flowable (non-excavatable) :** Type I mixes are intended for permanent installations such as structural fill under structures. It has very flowable characteristics needed for distances and small areas. This type of mix should not be used as bedding material. It is used to fill small hard-to-reach areas.

**TYPE 1E - Very flowable (excavatable):** Type 1E mixes are excavatable material designed to have very flowable characteristics needed for filling small or far areas that later may be needed to be removed. It is used to backfill trench areas in pavement excavated for underground utility installation.

**TYPE 2 - Flowable (non-excavatable):** Type 2 mixes are used in areas where size and distance do not require the very flowable characteristics. IT is intended for permanent installations such as thick fills under structures.

**TYPE 2E - Flowable (excavatable):** Type 2E mixes are excavatable mixes where size and distances of the installation do not require the very flowable or excavatable characteristics.

Type 1E and 2E must meet the following requirements:

I:\permits\REVISED 2004 CITY COM LIC PERMIT MANUAL .doc

REV.6/04



	28 days	90 days
Compressive strength	30 - 80 psi	100 psi max
Air	1% - 30%	

Type I and 2 must meet the following requirements:

	28 days	90 days
Compressive strength	30 - 150 psi*	200 psi max*
Air	1% - 30%	

\* May be changed by the design engineer to fit the particular job requirements.

The following Type IE mix design is for information only. The actual mix designs submitted by the ready mix operator, in accordance with standard department practice, must be confirmed by trial batches.

IN CITY COUNCIL

Marlborough, Mass. June 22, 1992

Hemenway Street  
Hemenway Street Extension  
Hosmer Street  
Millham Street  
Parmenter Street  
Pleasant Street  
Robin Hill Road  
Spoonhill Avenue  
Stevens Street  
Stow Road  
Sudbury Street  
Wayside Inn Road  
West Hill Road  
Westboro Road

I:\permits\REVISED 2004 CITY COM LIC PERMIT MANUAL .doc

**APPENDIX – F**  
**IN CITY COUNCIL**

ORDERED: Marlborough, Mass. June 22, 1992

THAT THE CODE OF THE CITY OF MARLBOROUGH AS AMENDED, BE FURTHER AMENDED, by adding the following:

**SCENIC ROADS:**

**PROCEDURES:**

1. Filing: Any person or organization seeking the consent of the Planning Board under M.G.L. Ch. 40, SEC. 15C (The Scenic Roads Act) regarding road repair, maintenance, reconstruction, or paving work that will involve the cutting or removal of trees or the tearing down of stone walls, or portion thereof, shall file a request with the Planning Board, together with the following:
  - a. information identifying the location of the proposed action in a manner that sufficiently describes its location and that also specifically describes the proposed changes to trees or stone walls;
  - b. plans, drawings or other explanatory reference material showing the specific design or engineering details;
  - c. except in the case of municipal agency, a deposit sufficient for the cost of advertising and required notifications.
2. Notice: The Planning Board shall, as required by statute, give notice of its public hearing by twice advertising in a newspaper of general circulation in the area. The Board shall also send copies of said notice to the Mayor's Office, the City Council, the Conservation Commission, the Historical Commission, the City Engineer, the Street Division, the Department of Public Works, and owners as of the preceding January first of property located in whole or in part within 100 feet of the proposed action.
3. Timing: The Planning Board shall hold a public hearing within forty five (45) days of receipt of a properly filed request, and shall make a decision within sixty (60) days of that receipt, unless a longer time is agreed to by the applicant. The date and time of the public hearing shall be set outside of normal weekday work hours (8:00 a.m. – 5:00 p.m.; Monday – Friday) so as to encourage maximum citizen participation.
4. Tree Warden: Whenever feasible, Planning Board hearings shall be in conjunction with those to be held by the Tree Warden acting under M.G.L. Ch. 87. Consent to an action by the Planning Board shall not be construed as inferring consent by the Tree Warden, or visa versa.
5. Emergency Repair: The procedures outlined herein shall not be required when the Tree Warden or his designee act in an emergency in accordance with M.G.L. Ch. 87 to remove fallen trees or limbs which cause an obstruction to public travel or a dangerous situation with respect to utility lines.

**DEFINITIONS:**

In the absence of contrary meaning established through legislative or judicial action pursuant to M.G.L. Ch. 40, Sec. 15C, these terms contained on that statute and herein shall be construed as follows:

"Road" shall mean the entire right of way of a vehicular traveled way plus its necessary appurtenances including bridge structure, drainage systems, retaining walks, traffic control devices, and sidewalks, but not intersecting streets or driveways. The right of way includes the area on and within the boundaries of the public way. If the boundaries are not officially known, any affected tree or stone wall shall be presumed to be within the public right of

way until shown otherwise.

“Cutting or Removal of Trees” shall mean the destruction of more than one tree having a trunk diameter four inches or more measured one foot from the ground. Trimming of roots sufficient in the Tree Warden’s opinion to cause eventual destruction of a tree is included in this definition.

“Tearing Down or Destruction of Stone Walls” shall mean the destruction of more than ten linear feet of wall involving more than one cubic foot of wall material per linear foot, but shall not be construed to include temporary removal and replacement at the same location with the same materials.

**CONSIDERATIONS:**

In acting on Scenic Roads, the Planning Board shall take into consideration the following:

1. preservation of natural resources;
2. environmental and historical values;
3. scenic and aesthetic characteristics;
4. public safety;
5. the characteristics of local residential traffic and resident expectations;
6. relationship of road design to the standards of the Planning Board’s subdivision regulations and of the Massachusetts D.P.W.;
7. compensatory actions proposed, such as replacement of trees or stone walls;
8. functional urgency of the repair, maintenance, reconstruction or paving
9. financial and other consequences of design revision to avoid or reduce damage to trees or stone walls;
10. additional evidence contributed by abutters, city agencies and other interested parties;
11. other sound planning considerations.

**REPORTING:**

The Planning Board shall, within sixty (60) days of receipt of a properly filed request, submit a written determination of consent or denial to the applicant and a copy to the City Clerk and the City Council. A report of denial shall include an indication of what modifications, if any, would lead to consent.

**ADOPTED**

In City Council  
Order No. 92-4365.1  
Adopted June 22, 1992

Approved by Mayor  
Michael P. Hogan  
JULY 9, 1992



CITY OF MARLBOROUGH

*Department of Public Works*

Municipal Garage

135 Neil Street

Marlborough, Massachusetts 01752

Tel. (508) 624-6910 Facsimile (508) 624-7699 TDD (508) 460-3610

**APPLICATION FOR STREET OPENING PERMIT**

DIG SAFE NO. ....

CONTRACTOR'S NAME.....

ADDRESS.....

PHONE..... CONTACT PERSON.....

LOCATION OF PROPOSED WORK.....

TRENCH DIMENSIONS.....

DESCRIBE FULLY NATURE OF PROPOSED WORK.....

.....

.....

DESIRED STARTING TIME.....COMPLETION TIME.....

THE PERMITTEE IS REQUIRED TO NOTIFY THIS OFFICE AT LEAST **24 HOURS** PRIOR TO THE EXACT DATE AND HOUR WORK IS TO BEGIN.

PERMIT FOR: ☐ SEWER INSTALLATION ☐ WATER INSTALLATION ☐ DRAIN INSTALLATION ☐ CURBCUT\*  
☐ UTILITY INSTALLATION ☐ STREET OBSTRUCTION ☐ STREET CLOSING \* REQUIRES APPROVED SITE PLAN

DRAW SKETCH OF PROPOSED WORK OR FURNISH A COPY OF DRAWING(S) SHOWING LOCATION AND EXTENT OF PROPOSED WORK. INDICATE RELATIONSHIP TO EXISTING LIGHT POLES, HYDRANTS, TREES, TRAFFIC SIGNS, ETC.; ALSO RELATIONSHIP TO NEAREST INTERSECTION IF WITHIN 50 FT.; ALSO SHOW NORTH ARROW.

THIS IS TO CERTIFY THAT I AM FAMILIAR WITH THE RULES, REGULATIONS AND ORDINANCES OF THE CITY OF MARLBOROUGH THAT GOVERN STREET OPENINGS AND ATTEST THAT ALL WORK WILL BE IN CONFORMANCE WITH SAID RULES, REGULATIONS AND ORDINANCES.

.....  
APPLICANT'S SIGNATURE

.....  
DATE

.....  
PRINT NAME

**PERMIT IS VALID FOR 30 DAYS FROM ABOVE DATE**

